

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

RAN 205

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/506864

INTERNATIONAL APPLICATION NO.

PCT/FR03/00 646

INTERNATIONAL FILING DATE

FEBRUARY 28, 2003

PRIORITY DATE CLAIMED

MARCH 1, 2002

TITLE OF INVENTION

OPTICAL MODE ADAPTER PROVIDED WITH TWO SEPARATE CHANNELS

APPLICANT(S) FOR DO/EO/US

STEPHANE TISSERAND ET AL.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (37 CFR 1.53) 10/506864		INTERNATIONAL APPLICATION NO. PG/HR03/60646		ATTORNEY'S DOCKET NUMBER RAN 205	
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21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">\$ 920.00</div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$18.00		
Independent claims	- 3 =		x \$84.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$280.00	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	
SUBTOTAL =				\$ 920.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
TOTAL FEES ENCLOSED =				\$ 920.00	
				Amount to be refunded:	\$
				charged:	\$

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 110224. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Horst M. Kasper
13 Forest Drive
Warren, N.J. 07059

Horst M. Kasper

SIGNATURE

HORST M. KASPER

NAME

28,559

REGISTRATION NUMBER

10/506864

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

Application Number

PG/FR 03/ 00 646

Filing Date

02/28/03

First Named Inventor

STEPHANE TISSELAND

Examiner Name

Art Unit

Attorney Docket No.

RAN 205

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

11-0224

HORST KASPER

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	920.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 920.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent Claims	-3** =	X	

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 920.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

HORST KASPER

Registration No.
(Attorney/Agent)

48,559

Telephone

928-526-1717

Signature

H. M. Kasper

Date

9-1-04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/506864

Applicant: Stephane Tisserand et al.

Serial No:

Art Unit:

Filing Date:

Title: OPTICAL MODE ADAPTER PROVIDED WITH TWO SEPARATE CHANNELS

Priority Application: Country: France; No.: 02/02588; Filing Date: March 1, 2002

PCT Application: No.: PCT/FR03/00646 Filing Date: February 28, 2003

September 1, 2004

Attorney's Docket No.: RAN205R1

TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks

BOX PCT

Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

<X> Form PTO-1390

<X> Copy of the French text of the PCT application No. PCT/FR03/00646
(9 pages of the specification, 3 pages of claims, 4 sheets of drawing)

<X> English translation of the PCT application No. PCT/FR03/00646 (16 pages)

<X> Request to Accept Patent Application for Entering U.S. National Phase under 35 USC § 371

<X> Claim of Priority

<X> Form PTO/SB/17 (01-03)

<X> Form PTO-1449 (1 page)

<X> Copy of the International Search Report (2 pages)

<X> Reference: T. Brenner et al. - "Highly efficient fiber-waveguide coupling achieved by InGaAsP/
InP - Integrated Optical Mode Shape Adapters.

<X> Form 1449

<X> Preliminary Amendment dated September 1, 2004

<X> Fee in the amount of \$920.00 are to be charged to a credit card. Form PTO-2038 is enclosed.

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16, and 1.17, after a mailing of a Notice of Allowance under 37 CFR 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

() Please charge my Deposit Account No.11-0224 in the amount of \$_____. A duplicate copy of this sheet is enclosed.

A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059
Reg. No. 28,559 Tel.(908)526-1717




10/506864

DT04 Rec'd PCT/PTO 01 SEP 2004

Express Mail Certification: I hereby certify that the correspondence attached hereto is being deposited with the USPS "Express Mail Post Office to Addressee" on the date indicated below and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231,

Deposit Date: **September 1, 2004**, "Express Mail Mailing Label No":

TB 160 617 440 US

Signature:  Date: **September 1, 2004**
am

10/506864

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DT04 Rec'd PCT/PTO 01 SEP 2004

Applicant: Stephane Tisserand et al.

Serial No:

Art Unit:

Filing Date:

Title: OPTICAL MODE ADAPTER PROVIDED WITH TWO SEPARATE CHANNELS

Priority Application: Country: France; No.: 02/02588; Filing Date: March 1, 2002

PCT Application: No.: PCT/FR03/00646 Filing Date: February 28, 2003

September 1, 2004

Attorney's Docket No.: RAN205R1

**REQUEST TO ACCEPT PATENT APPLICATION FOR ENTERING
UNITED STATES NATIONAL PHASE UNDER 35 USC §371**

Hon. Commissioner of Patents and Trademarks

Box PCT

Washington, D.C. 20231

SIR:

A patent application related to the above identified application was filed on February 28, 2003 under the PCT Treaty under the docket number PCT/FR03/00646. English translation of the originally filed PCT application PCT/FR03/00646 is enclosed.


It is respectfully requested that the present application be treated as an application filed under the Section 35 U.S.C. § 371 for transferring a PCT application PCT/FR03/00646, naming the United States, into the national phase and that the present application be granted any and all benefits and in particular those benefits relating to a priority recognition of prior filings under jurisdiction of treaty members and available under the Patent Cooperation Treaty (Washington Treaty), the Paris Convention Treaty, and

under the United States Code based on the filing under the Patent Cooperation Treaty of PCT application PCT/FR03/00646.

If there should be any problems in granting the benefits available under the Patent Cooperation Treaty and/or 35 USC §371 based on such items as incompleteness of application, excessive time delays or defective application papers, then it is alternatively respectfully requested that prior to the expiration through abandonment of a filing under 35 USC §371 and under charging the required fees from deposit account, the present application be treated as an application and/or continuation application filed at a time required under any one of the sections 35 U.S.C. §111, 35 U.S.C. §363, and/or 35 U.S.C. §365(c) as applicable and that the present application be treated as a continuation or continuation-in-part application of the PCT application PCT/FR03/00646.

Recognition of PCT national phase status or, respectively, continuation or continuation-in-part status under the PCT Treaty and/or of the claimed priority date of March 1, 2002 is respectfully requested for the patent application documents in the above captioned matter.

Respectfully submitted,
Stephane Tisserand et al.

By: 

Horst M. Kasper, their attorney,
13 Forest Drive, Warren, N.J. 07059
Tel.:(908)526-1717 Fax:(908)526-6977
Reg. No. 28,559; Docket No.: Ran205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephane Tisserand et al.

DT04 Rec'd PCT/PTO 01 SEP 2004

Serial No:

Art Unit:

Filing Date:

Title: OPTICAL MODE ADAPTER PROVIDED WITH TWO SEPARATE CHANNELS

Priority Application: Country: France; No.: 02/02588; Filing Date: March 1, 2002

PCT Application: No.: PCT/FR03/00646 Filing Date: February 28, 2003

September 1, 2004

Attorney's Docket No.: RAN205R1

CLAIM OF PRIORITY

Hon. Commissioner of Patents and Trademarks

Box PCT

Washington, D.C. 20231

Sir:

Pursuant to Title 35, United States Code, Section 119 (1952), the undersigned hereby claims the benefit of the filing date of a prior foreign patent application forming a basis of the PCT application viz.:

Country: FRANCE

Application No.: 02/02588

Date of Filing: March 1, 2002

In support of this claim, a certified copy of the aforementioned foreign patent applications is believed to have been submitted by the World Intellectual Property Organization and should have been received by the United States Patent and Trademark Office prior to the expiration of 20, or respectively 30, months from the first priority date of the application.

Respectfully submitted,
Stephane Tisserand et al.

By: Horst M. Kasper
Horst M. Kasper, their attorney,
13 Forest Drive, Warren, N.J. 07059
Tel.: (908) 757-2839 Fax: (908) 668-5262
Reg. No. 28559; Docket No.: RAN205

*%ptn:pctnat:2(RAN205R1(September 1, 2004(am